

3-253A001

NATIONAL CITY
LEASING
CORPORATION
N-C A National City Company

8331-C
SEP 10 1993 9 40 AM

INTERSTATE COMMERCE COMMISSION

LICENSING BRANCH

RECEIVED
OFFICE OF THE
SECRETARY
SEP 10 9 36 AM '93

September 7, 1993

Ms. Mildred Lee
c/o Interstate Commerce Commission
12th & Constitution Avenue N.W. Room 2303
Washington, D.C. 20423

Dear Ms. Lee:

As per our telephone conversation, I have enclosed the following:

1. One (1) original and one (1) copy of the renewal agreement between National City Leasing Corporation F/K/A First National Bank of Louisville and Amax Coal Company.
2. Copy of the first page of the original Lease Agreement with the Interstate Commerce Commission file number 8331 and dated May 18, 1976.
3. Copy of the Addendums to lease number 8331-A dated August 14, 1989 and number 8331-B dated June 19, 1991.
4. Our check for \$16.00.

If you need more information, please call me at (502) 581-4318. I have enclosed a return envelope for your convenience. Thank you for your prompt attention to this matter.

Sincerely,

J. Thomas Smith
J. Thomas Smith
Vice President

230/kjh

Louisville Office
P. O. Box 36040
Louisville, Kentucky 40233-6040
Phone 502/581-5229
Fax 502/581-6488

Cleveland Office
1900 E. Ninth Street-Locater #2115
Cleveland, Ohio 44114-3484
Phone 216/575-3265
Fax 216/575-3160

Columbus Office
155 E. Broad Street
Columbus, Ohio 43251-0038
Phone 614/463-7434
Fax 614/463-8803

Interstate Commerce Commission

Washington, D.C. 20423

9/10/98

OFFICE OF THE SECRETARY

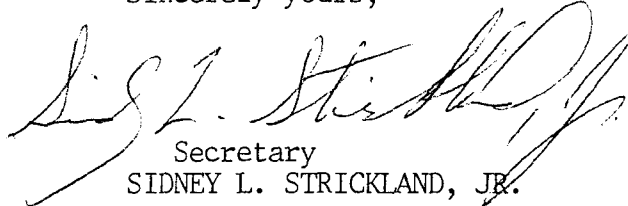
J. Thomas Smith
Vice President
National City Leasing Corp
P.O.Box 36040
Louisville KY. 402336040

Dear **Sir:**

The enclosed document(s) was recorded pursuant to the provisions
of Section 11303 of the Interstate Commerce Act, 49 U.S.C. 11303,
on **9/10/93** at **9:40am**, and assigned
recordation number(s).

8331-C

Sincerely yours,



Secretary
SIDNEY L. STRICKLAND, JR.

Enclosure(s)

RECEIVED BY \$331-C RECEIVED

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INTERSTATE COMMERCE COMMISSION

ADDENDUM TO LEASE

THIS ADDENDUM dated as of the 22nd day of July 1993, is to that certain Lease between National City Leasing Corporation f/k/a First National Bank of Louisville, as Lessor, and Amax Coal Company, a Delaware Corporation (successor to Amax Coal Company, a division of AMAX Inc.), as Lessee, dated May 12, 1976 (the "Lessee").

RECITALS

A. Pursuant to Section #14 of the Lease, the Lessee has the election at the expiration of the initial term of the Lease to renew the Lease.

B. Lessee has notified Lessor that it wished to renew the Lease for a two (2) year period.

C. Lessor agrees to such an arrangement and wishes to set forth in writing the desire of the parties.

NOW, THEREFORE, in consideration of the premises set forth above, and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties agree as follows:

1. Upon the expiration of the current term of the Lease, as extended by Addendum to Lease dated as of May 31, 1991, Lessor consents to extend the term of the Lease of eight (8) 100-ton rapid discharge coal cars (each such car being hereafter referred to as a "Unit") for a two (2) year period beginning June 1, 1993 and ending May 31, 1995.

2. The rentals for the extended term shall be paid on a semi-annual basis in arrears at the rate of \$1,650.00 per Unit. The rentals will be payable as follows:

<u>Due Date</u>	<u>Rental</u>
November 30, 1993	\$13,200.00
May 31, 1994	13,200.00
November 30, 1994	13,200.00
May 31, 1995	13,200.00

3. During the extended term of the Lease all of the terms and covenants of the Lease, except as modified herein, shall continue throughout the extended term, unless expressly modified in a writing executed by the parties.

IN WITNESS WHEREOF, the parties have caused this Addendum to be executed by their respective duly authorized officers as of the day and year first above set forth.

National City Leasing Corporation

By: J. Thomas Smith
J. Thomas Smith
Vice President

WITNESS:

Amax Coal Company

By: [Signature] By: A. Frank [Signature]
Title: Asst. General Counsel Title: President

COMMONWEALTH OF KENTUCKY

)

SS:

COUNTY OF JEFFERSON

)

On this 2 day of Sept, 1993, before me personally appeared J. Thomas Smith to me personally known, who, being by me duly sworn, says that he is a Vice President of National City Leasing Corporation, and that said instrument was signed on behalf of said corporation by authority of its Board of Directors and he acknowledged that the execution of the foregoing instrument was the free act and deed of said corporation.

(Notarial Seal)

[Signature]
Notary Public
Jefferson County, Kentucky

My Commission Expires:
Notary Public, State at Large, KY.
My commission expires Aug. 2, 1995

STATE OF INDIANA)
) SS:
COUNTY OF VANDERBURGH)

I, Virginia A. Sickman, A Notary Public in and for said county and State, do hereby certify that A. Frank Dunham + Larry Pile personally known to me to be the same persons whose names are respectively subscribed to the foregoing instruments as President and Asst. General Counsel of Amax Coal Company, appeared before me this day in person and severally acknowledged that they, being therunto authorized, signed, ~~sealed with the corporate seal~~, and delivered the said instrument as the free and voluntary act of said corporation and as their free and voluntary act as such officers thereof.

Given under my hand and Notarial Seal this 27th of August, 1993.

Virginia A. Sickman
Notary Public

My Commission Expires:

July 29, 1994

County of Residence:

Vanderburgh

111/kjh